

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

**SAMUEL VARGAS, on behalf of himself
and all others similarly situated,**

INDEX NO. 12-cv-06036

Plaintiffs,

v.

**DEELKA VISION CORP d/b/a NEW YORK
STYLE EATS, MARKELLOS
STROUMBOS, and LAMBROS
STROUMBOS**

Defendants.

**NOTICE OF VOLUNTARY DISMISSAL BY THE PLAINTIFFS PURSUANT
TO RULE 41(a)(1)(A)(i)**

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), and as the Defendants have neither answered nor moved for summary judgment, undersigned counsel on behalf of the Plaintiffs hereby voluntarily dismisses the pending action against the Defendants.

Dated: New York, New York
February 15, 2013

Respectfully submitted,


JOSEPH & KIRSCHENBAUM LLP

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Attorneys for Plaintiffs

So Ordered.

/s/ Judge Raymond J. Dearie


2/19/13